

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD ZAVALA,

Defendant.

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8:04CR231

ORDER

This matter is before the court on the government's motion to continue trial [24]. For good cause shown,

IT IS ORDERED:

1. The trial of this matter is continued from June 3, 2008 to the next available trial setting, which is **June 24, 2008**.

2. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **June 3, 2008 and June 17, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act due to counsel's scheduling conflict and because counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

DATED May 2, 2008.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**